



PATENT
Customer No. 22,852
Attorney Docket No. 081570010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Paul GILSON et al.

Application No.: 09/838,545

Filed: April 20, 2001

For: EMBOLIC PROTECTION SYSTEM

)
)
) Group Art Unit: 3737
)
) Examiner: Unknown
)
)
)

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicants bring to the attention of the Examiner the documents listed on the attached Form PTO 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached 1449 form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

RECEIVED
JUN 21 2002
TC 3750 MAIL ROOM

documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 19, 2002

By: 

Roland G. McAndrews
Reg. No. 41,450

356773_1

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

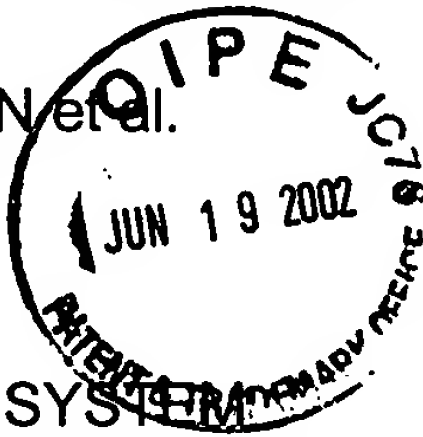
PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In re Application of: Paul GILSON et al.

Application No.: 09/838,545

Filed: April 20, 2001

For: EMBOLIC PROTECTION SYSTEM



Group Art Unit: 3737

Examiner: Unknown

-
1. Information Disclosure Statement Under 37 C.F.R. § 1.97(b) (2 pages)
 2. Form PTO 1449 (9 pages)
 3. Copies of 168 references corresponding to those listed on Form PTO 1449

Dated: June 19, 2002

Docket No.: 08157.0010

(Due Date: N/A)

RGM/eah

PLEASE RETURN POSTCARD TO E. HARRIS @ MD 654

RECEIVED
JUN 21 2002
TO 3709 MAIL ROOM

INFORMATION DISCLOSURE CITATION

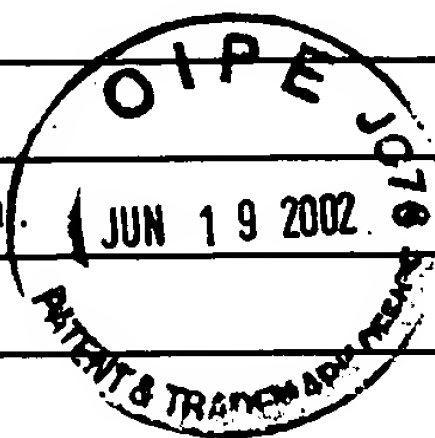
| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|---|-----------------|---|-------------------------|-------|-----------|----------------------------|
| | 2,854,983 | 10/1958 | Baskin | | | |
| | 3,334,629 | 08/1967 | Cohn | | | |
| | 3,540,431 | 11/1970 | Mebin-Uddin | | | |
| | 3,692,029 | 09/1972 | Adair | | | |
| | 3,730,185 | 05/1973 | Cook et al. | | | |
| | 3,952,747 | 04/1976 | Kimmell, Jr. | | | |
| | 4,295,464 | 10/1981 | Shihata | | | |
| | 4,404,971 | 09/1983 | LeVeen et al. | | | |
| | 4,423,725 | 01/1984 | Baran et al. | | | |
| | 4,425,908 | 01/1984 | Simon | | | |
| | 4,445,892 | 05/1984 | Hussein et al. | | | |
| | 4,493,711 | 01/1985 | Chin et al. | | | |
| | 4,512,762 | 04/1985 | Spears | | | |
| | 4,585,000 | 04/1986 | Hershenson | | | |
| | 4,610,662 | 09/1986 | Weikl et al. | | | |
| | 4,611,594 | 09/1986 | Grayhack et al. | | | |
| | 4,619,246 | 10/1986 | Molgaard-Nielsen et al. | | | |
| | 4,650,466 | 03/1987 | Luther | | | |
| | 4,723,549 | 02/1988 | Wholey et al. | | | |
| | 4,790,812 | 12/1988 | Hawkins, Jr. et al. | | | |
| | 4,794,928 | 01/1989 | Kletschka | | | |
| Examiner | Date Considered | | | | | |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | | |
| Form PTO 1449 | | Patent and Trademark Office - U.S. Department of Commerce | | | | |

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |



U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|---------------------|-------|-----------|----------------------------|
| | 4,873,978 | 10/1989 | Ginsburg | | | |
| | 4,926,858 | 05/1990 | Gifford, III et al. | | | |
| | 4,927,426 | 05/1990 | Dretler | | | |
| | 5,011,488 | 04/1991 | Ginsburg | | | |
| | 5,026,377 | 06/1991 | Burton et al. | | | |
| | 5,053,008 | 10/1991 | Bajaj | | | |
| | 5,108,419 | 04/1992 | Reger et al. | | | |
| | 5,122,125 | 06/1992 | Deuss | | | |
| | 5,178,158 | 01/1993 | de Toledo | | | |
| | 5,324,304 | 06/1994 | Rasmussen | | | |
| | 5,329,942 | 07/1994 | Gunther et al. | | | |
| | 5,405,329 | 04/1995 | Durand | | | |
| | 5,593,394 | 01/1997 | Kanesaka et al. | | | |
| | 5,662,671 | 09/1997 | Barbut et al. | | | |
| | 5,669,933 | 09/1997 | Simon et al. | | | |
| | 5,695,519 | 12/1997 | Summers et al. | | | |
| | 5,766,203 | 06/1998 | Imran et al. | | | |
| | 5,769,816 | 06/1998 | Barbut et al. | | | |
| | 5,769,871 | 06/1998 | Mers Kelly et al. | | | |
| | 5,795,322 | 08/1998 | Boudewijn | | | |

RECEIVED
JUN 21 2002
PTO MAIL ROOM

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449

Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al | | |
| Filing Date | April 20, 2001 | Group: | 3737 |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|------------------|-------|-----------|----------------------------|
| | 5,800,457 | 09/1998 | Gelbfish | | | |
| | 5,800,525 | 09/1998 | Bachinski et al. | | | |
| | 5,814,064 | 09/1998 | Daniel et al. | | | |
| | 5,823,992 | 10/1998 | Salmon et al. | | | |
| | 5,827,324 | 10/1998 | Cassell et al. | | | |
| | 5,848,964 | 12/1998 | Samuels | | | |
| | 5,897,567 | 04/1999 | Ressemann et al. | | | |
| | 5,910,154 | 06/1999 | Tsugita et al. | | | |
| | 5,911,734 | 06/1999 | Tsugita et al. | | | |
| | 5,941,869 | 08/1999 | Patterson et al. | | | |
| | 5,954,745 | 09/1999 | Gertler et al. | | | |
| | 5,976,172 | 11/1999 | Homsma et al. | | | |
| | 5,993,469 | 11/1999 | Mckenzie et al. | | | |
| | 6,001,118 | 12/1999 | Daniel et al. | | | |
| | 6,027,520 | 02/2000 | Tsugita et al. | | | |
| | 6,042,598 | 03/2000 | Tsugita et al. | | | |
| | 6,053,832 | 04/2000 | Saito | | | |
| | 6,053,932 | 04/2000 | Daniel et al. | | | |
| | 6,129,739 | 10/2000 | Khosravi | | | |
| | 6,132,458 | 10/2000 | Staehle et al. | | | |
| | 6,152,946 | 11/2000 | Broome et al. | | | |

Examiner

Date Considered

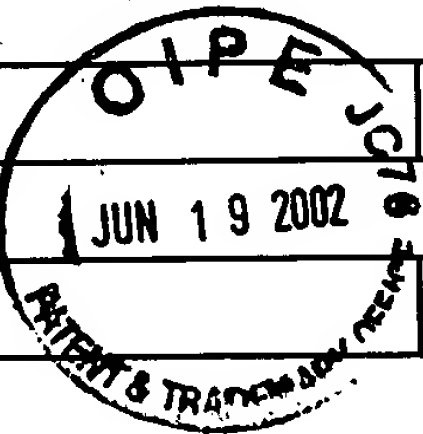
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449

Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |



U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|------------------|-------|-----------|----------------------------|
| | 6,171,327 | 01/2001 | Daniel et al. | | | |
| | 6,179,859 | 01/2001 | Bates et al. | | | |
| | 6,179,861 | 01/2001 | Khosravi et al. | | | |
| | 6,203,561 | 03/2001 | Ramee et al. | | | |
| | 6,214,026 | 04/2001 | Lepak et al. | | | |
| | 6,245,012 | 06/2001 | Kleshinski | | | |
| | 6,245,089 | 06/2001 | Daniel et al. | | | |
| | 6,270,513 | 08/2001 | Tsugita et al. | | | |
| | 6,277,138 | 08/2001 | Levinson et al. | | | |
| | 6,277,139 | 08/2001 | Levinson et al. | | | |
| | 6,319,242 | 11/2001 | Patterson et al. | | | |
| | 6,325,815 | 12/2001 | Kusleika et al. | | | |
| | 6,336,934 | 01/2002 | Gilson et al. | | | |
| | 6,346,116 | 02/2002 | Brooks et al. | | | |
| | 6,348,062 | 02/2002 | Hopkins et al. | | | |

RECEIVED
JUN 21 2002
FBI
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
1000 K STREET, N.W.
WASHINGTON, D.C. 20535

U.S. PATENT APPLICATION PUBLICATIONS

| Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|-----------------|------------------|-----------------|-------|-----------|-----------------------|
| 2001/0012951 | 08/2001 | Bates et al. | | | |
| 2001/0020175 | 09/2001 | Yassour et al. | | | |
| 2001/0041908 | 11/2001 | Levinson et al. | | | |

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |

U.S. PATENT APPLICATION PUBLICATIONS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|-----------------|-------|-----------|-----------------------|
| | 2001/0044632 | 11/2001 | Daniel et al. | | | |
| | 2002/0004667 | 01/2002 | Adams et al. | | | |
| | 2002/0022858 | 02/2002 | Demond et al. | | | |
| | 2002/0022860 | 02/2002 | Borillo et al. | | | |
| | 2002/0026211 | 02/2002 | Khosravi et al. | | | |

FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|---------|-------|-----------|-----------------------|
| | WO 88/09683 | 12/1988 | PCT | | | |
| | WO 89/07422 | 08/1989 | PCT | | | |
| | WO 94/24946 | 11/1994 | PCT | | | |
| | WO 95/34254 | 12/1995 | PCT | | | |
| | WO 95/34339 | 12/1995 | PCT | | | |
| | WO 96/01591 | 01/1996 | PCT | | | |
| | WO 96/39998 | 12/1996 | PCT | | | |
| | WO 97/03810 | 02/1997 | PCT | | | |
| | WO 97/17021 | 05/1997 | PCT | | | |
| | WO 97/17914 | 05/1997 | PCT | | | |
| | WO 97/42879 | 11/1997 | PCT | | | |

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449

Patent and Trademark Office - U.S. Department of Commerce

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |

FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|---------|-------|-----------|-----------------------|
| | WO 98/24377 | 06/1998 | PCT | | | |
| | WO 98/30265 | 07/1998 | PCT | | | |
| | WO 98/33443 | 08/1998 | PCT | | | |
| | WO 98/38920 | 09/1998 | PCT | | | |
| | WO 98/39053 | 09/1998 | PCT | | | |
| | WO 98/46297 | 10/1998 | PCT | | | |
| | WO 98/49952 | 11/1998 | PCT | | | |
| | WO 98/50103 | 11/1998 | PCT | | | |
| | WO 98/51237 | 11/1998 | PCT | | | |
| | WO 99/16382 | 04/1999 | PCT | | | |
| | WO 99/20335 | 04/1999 | PCT | | | |
| | WO 99/23976 | 05/1999 | PCT | | | |
| | WO 99/25252 | 05/1999 | PCT | | | |
| | WO 99/44510 | 09/1999 | PCT | | | |
| | WO 99/44542 | 09/1999 | PCT | | | |
| | WO 99/51167 | 10/1999 | PCT | | | |
| | WO 00/16705 | 03/2000 | PCT | | | |
| | WO 00/44428 | 08/2000 | PCT | | | |
| | WO 00/49970 | 08/2000 | PCT | | | |
| | WO 00/56390 | 09/2000 | PCT | | | |
| | WO 00/67664 | 11/2000 | PCT | | | |
| | WO 00/67665 | 11/2000 | PCT | | | |

Examiner

Date Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |

FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|---------------|--|------------------|---------|-------|-----------|-----------------------|
| | WO 00/67666 | 11/2000 | PCT | | | |
| | WO 00/67667 | 11/2000 | PCT | | | |
| | WO 00/67668 | 11/2000 | PCT | | | |
| | WO 00/67669 | 11/2000 | PCT | | | |
| | WO 00/67670 | 11/2000 | PCT | | | |
| | WO 00/67671 | 11/2000 | PCT | | | |
| | WO 00/67829 | 11/2000 | PCT | | | |
| | WO 01/05329 | 01/2001 | PCT | | | |
| | WO 01/08742 | 02/2001 | PCT | | | |
| | WO 01/08743 | 02/2001 | PCT | | | |
| | WO 01/12082 | 02/2001 | PCT | | | |
| | WO 01/21100 | 03/2001 | PCT | | | |
| | WO 01/35857 | 05/2001 | PCT | | | |
| | WO 01/43662 | 06/2001 | PCT | | | |
| | WO 01/45590 | 06/2001 | PCT | | | |
| | WO 01/45591 | 06/2001 | PCT | | | |
| | WO 01/45592 | 06/2001 | PCT | | | |
| | WO 01/49208 | 07/2001 | PCT | | | |
| | WO 01/49209 | 07/2001 | PCT | | | |
| | WO 01/49215 | 07/2001 | PCT | | | |
| | WO 01/50982 | 07/2001 | PCT | | | |
| Examiner | Date Considered | | | | | |
| *Examiner: | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | | | | | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce | | | | | |

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |

FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|---------|-------|-----------|-----------------------|
| | WO 01/52768 | 07/2001 | PCT | | | |
| | WO 01/72205 | 10/2001 | PCT | | | |
| | WO 01/80776 | 11/2001 | PCT | | | |
| | WO 01/80777 | 11/2001 | PCT | | | |
| | WO 01/97714 | 12/2001 | PCT | | | |
| | 2 580 504 | 10/1986 | France | | | abstract |
| | 2 616 666 | 12/1988 | France | | | abstract |
| | 2 768 326 | 03/1999 | France | | | abstract |
| | GB 2020557 | 11/1979 | UK | | | |
| | GB 2200848 | 08/1988 | UK | | | |
| | EP 0256683 | 02/1988 | Europe | | | |
| | EP 0533511 | 03/1993 | Europe | | | |
| | EP 0743046 | 11/1996 | Europe | | | |
| | EP 0791340 | 08/1997 | Europe | | | |
| | EP 0827756 | 03/1998 | Europe | | | |
| | EP 1123688 | 08/2001 | Europe | | | |
| | EP 1127556 | 08/2001 | Europe | | | |
| | EP 1149566 | 10/2001 | Europe | | | |
| | DE 3706077 | 06/1988 | Germany | | | abstract |

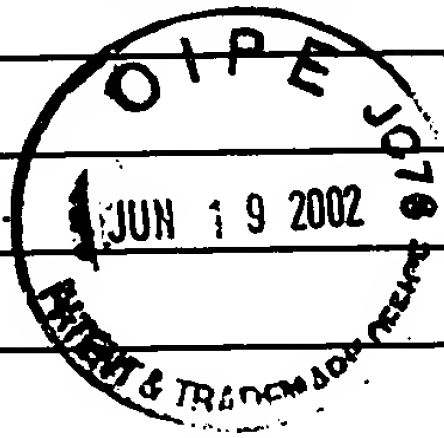
RECEIVED
JUN 21 1999
TC 3700 MAIL ROOM

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|---------------|--|
| | Specification of Application No. 10/043,173, filed January 14, 2002. |
| | Specification of Application No. 09/986,060, filed November 7, 2001. |
| Examiner | Date Considered |
| *Examiner: | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|--------------------|-----------------|------------|
| Atty. Docket No. | 08157.0010 | Application No. | 09/838,545 |
| Applicant | Paul GILSON et al. | | |
| Filing Date | April 20, 2001 | Group: | 3737 |



| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | |
|--|--|
| | Specification of Application No. 09/985,820, filed November 6, 2001. |
| | Specification of Application No. 09/986,132, filed November 7, 2000. |
| | Specification of Application No. 09/938,548, filed August 27, 2001 with Preliminary Amendment. |
| | Specification of Application No. 09/921,596, filed August 6, 2001 with Preliminary Amendment. |
| | Specification of Application No. 09/676,468, filed October 2, 2000. |
| | Specification of Application No. 09/986,064, filed November 7, 2001. |
| | Specification of Application No. 09/838,544, filed April 20, 2001. |
| | Specification of Application No. 09/887,893, filed June 25, 2001. |
| Examiner | Date Considered |
| <p>*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p> | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |

356626_1

RECEIVED
JUN 21 2002
TC 3700 MAIL ROOM